



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

IDD 6888
SB-C
2/25/10

Reply To: OCE-127

FEB 25 2010

CERTIFIED MAIL Number 7009 2250 0001 6624 1979
RETURN RECEIPT REQUESTED

James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
310 Conda Road
Soda Springs, Idaho 83276

Re: Request for Additional Time to Submit a Revised Sampling and Analysis Work Plan;
Administrative Order on Consent for Nu-West Industries, Inc.; Idaho Facility,
Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

I promised to follow up our conversation on February 22, 2010, with a letter, responding to your request for additional time to submit a revised Sampling and Analysis Work Plan to EPA.

Our records indicate that Agrium Nu-West Industries Inc. ("Nu-West") received the Agency's comments on February 10, 2010. In accordance with paragraph 69 of the Administrative Order on Consent, Nu-West may request additional time to respond beyond the thirty (30) calendar day deadline. In your letter dated February 18, 2010, you requested a total of ninety (90) days in order to incorporate all of the Agency's comments into the Sampling and Analysis Work Plan. This request is approved. The new deadline for Nu-West to submit a revised Work Plan to the Agency is therefore May 10, 2010.

The Agency expects that the additional two months will give Nu-West sufficient time to fully address all comments and to incorporate all necessary changes, so that an adequate Work Plan can be finalized and that work can proceed during the summer/fall season. The Agency remains available to discuss technical matters as you work towards meeting the May 10 deadline.

If you have any questions, feel free to call me at (206) 553-2964. Thank you.

Sincerely,

Peter Magolske
Office of Compliance and Enforcement

Enclosure

cc: P. Scott Burton, Esq. Hunton and Williams LLP
Brian Monson, IDEQ